

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANDON DALE LOWERY,

Plaintiff,

vs.

FREMONT STREET EXPERIENCE L.L.C.,

Defendant.

Case No.: 2:24-cv-01119-GMN-EJY

ORDER ADOPTING R&R

Pending before the Court is the Report and Recommendation (R&R), (ECF No. 5), of United States Magistrate Judge Elayna J. Youchah, which recommends the Court dismiss with prejudice Plaintiff's claims on behalf of "100's of others" whose constitutional rights were allegedly violated.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections to the R&R were filed, and the deadline to do so has passed. (*See* Min. Order, ECF No. 5) (setting July 5, 2024, deadline for objections). The Court therefore

1 ADOPTS the R&R in full.

2 Accordingly,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 5), is
4 **ADOPTED in full.**

5 **IT IS FURTHER ORDERED** Plaintiff's claims on behalf of "100's of others" whose
6 constitutional rights were allegedly violated are **DISMISSED with prejudice.**

7 Dated this 14 day of August, 2024.

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11 Gloria M. Navarro, District Judge
12 United States District Court
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